

THOMAS E. FRANKOVICH (State Bar No. 074414)
 THOMAS E. FRANKOVICH,
A Professional Law Corporation
 2806 Van Ness Avenue
 San Francisco, CA 94109
 Telephone: 415/674-8600
 Facsimile: 415/674-9900
 Attorneys for Plaintiffs
 CRAIG YATES
 and DISABILITY RIGHTS
 ENFORCEMENT, EDUCATION,
 SERVICES: HELPING YOU
 HELP OTHERS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES, an individual; and
 DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION, SERVICES: HELPING
 YOU HELP OTHERS, a California public
 benefit corporation,
 Plaintiffs,

v.

WINTER PROPERTIES a general
 California partnership; ANDRADE LUZ
 BEATRICE and ARMANDO ROBLES
 CORONEL, individuals dba TAQUERIA
 EL CORONEL,

Defendants.

CASE NO. C07-2657-JL

RETURN OF SERVICE RE DEFENDANTS
 WINTER PROPERTIES a general California
 partnership; ANDRADE LUZ BEATRICE and
 ARMANDO ROBLES CORONEL, individuals
 dba TAQUERIA EL CORONEL,

RETURN OF SERVICE RE DEFENDANTS WINTER PROPERTIES a general California partnership; ANDRADE LUZ BEATRICE and
 ARMANDO ROBLES CORONEL, individuals dba TAQUERIA EL CORONEL.

Attorney or Party without Attorney: THOMAS E FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109 Telephone No: 415-674-8600 FAX No 415-674-9900				For Court Use Only	
Attorney for Plaintiff				Ref. No. or File No.:	
Insert name of Court, and Judicial District and Branch Court: United States District Court Northern District Of California					
Plaintiff CRAIG YATES, et al. Defendant WINTER PROPERTIES, et al.					
PROOF OF SERVICE SUMMONS		Hearing Date:	Time:	Dept/Div:	Case Number: C 07 2657 JL

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL CASE COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; CIVIL COVER SHEET; WELCOME TO THE U.S DISTRICT COURT; NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL, CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III; ECF REGISTRATION INFORMATION HANDOUT

3. a. Party served: **WINTER PROPERTIES**
4. Address where the party was served: **200 PETRERO AVENUE
SAN FRANCISCO, CA 94103**

5. I served the party:
 b by substituted service. On: Fri., Jul. 13, 2007 at 1:15PM by leaving the copies with or in the presence of **SHIRLEY SYZIMAN, EMPLOYEE**
 (1) (Business) a Person in charge at least 18 years of age apparently in charge of the office or usual place of business of the person served. I informed him or her of the general nature of the papers.
 (4) A declaration of mailing is attached

7. Person Who Served Papers:

a. DOUG SCHROEDER

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. The Fee for Service was:

e. I am (3) registered California process server

- (i) Independent Contractor
 (ii) Registration No.: 190
 (iii) County: Marin



8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Sat, Jul. 14, 2007

Attorney or Party without Attorney. THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE SAN FRANCISCO, CA 94109		For Court Use Only	
Telephone No: 415-674-8600 FAX No: 415-674-9900		Ref No or File No.	
Insert name of Court, and Judicial District and Branch Court United States District Court Northern District Of California			
Plaintiff: CRAIG YATES, et al. Defendant: WINTER PROPERTIES, et al.			
AFFIDAVIT OF REASONABLE DILIGENCE		Hearing Date:	Case Number: C 07 2657 JL

1. I, DOUG SCHROEDER, and any employee or independent contractors retained by FIRST LEGAL SUPPORT SERVICES are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant WINTER PROPERTIES as follows.
2. **Documents:** Summons In A Civil Case Complaint For Injunctive Relief And Damages; Civil Cover Sheet; Welcome To The U.S. District Court; Notice Of Assignment Of Case To A United States Magistrate Judge For Trial; Consent To Proceed Before A United States Magistrate Judge; Scheduling Order For Cases Asserting Denial Of Right Of Access Under Americans With Disabilities Act Title Iii; Ecf Registration Information Handout..
- | Day | Date | Time | Location | Results |
|-----|----------|--------|----------|---|
| Tue | 07/03/07 | 8:58am | Business | THERE IS NO BUSINESS HERE BY THIS NAME. Attempt made by: DOUG SCHROEDER. Attempt at: 200 PETRERO AVENUE SAN FRANCISCO CA 94103. |
| Fri | 07/13/07 | 1:15pm | Business | SHIRLEY SYZIMAN STATED, "WE DON'T OWN THE PROPERTY ANYMORE, GLEN LEARNER IS THE CURRENT OWNER." Attempt made by: DOUG SCHROEDER. Attempt at: 200 PETRERO AVENUE SAN FRANCISCO CA 94103. |
| Fri | 07/13/07 | 1:15pm | Business | Substituted Service on. WINTER PROPERTIES Business - 200 PETRERO AVENUE SAN FRANCISCO, CA. 94103 by leaving a copy of the document(s) with: SHIRLEY SYZIMAN, EMPLOYEE Served by: DOUG SCHROEDER |
| Fri | 07/13/07 | | | Mailed copy of Documents to. WINTER PROPERTIES |

3. *Person Executing*

- a. DOUG SCHROEDER
 b. **FIRST LEGAL SUPPORT SERVICES**
 1138 HOWARD STREET
 SAN FRANCISCO, CA 94103
 c. (415) 626-3111

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d. *The Fee for service was.*

- e. I am: (3) registered California process server
 (i) Independent Contractor
 (ii) Registration No: 190
 (iii) County: Marin

4. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct

✠ Date: Sat, Jul. 14, 2007

AFFIDAVIT OF REASONABLE DILIGENCE

(DOUG SCHROEDER)

Attorney or Party without Attorney. THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE SAN FRANCISCO, CA 94109 Telephone No: 415-674-8600 FAX No: 415-674-9900				For Court Use Only	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court Northern District Of California					
Plaintiff: CRAIG YATES, et al. Defendant: WINTER PROPERTIES, et al.					
PROOF OF SERVICE By Mail		Hearing Date:	Time:	Dept/Div	Case Number C 07 2657 JL

1. I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred
2. I served copies of the SUMMONS IN A CIVIL CASE COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; CIVIL COVER SHEET; WELCOME TO THE U.S. DISTRICT COURT, NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL, CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III; ECF REGISTRATION INFORMATION HANDOUT.
3. By placing a true copy of each document in the United States mail, in a sealed envelope by First Class mail with postage prepaid as follows:

a. Date of Mailing:	Fri., Jul. 13, 2007
b. Place of Mailing:	SAN FRANCISCO, CA 94103
c. Addressed as follows:	WINTER PROPERTIES 200 PETRERO AVENUE SAN FRANCISCO, CA 94103
4. I am readily familiar with the business practice for collection and processing of correspondence as deposited with the U.S. Postal Service on Fri., Jul. 13, 2007 in the ordinary course of business.
5. Person Serving:

a. AARON DANIEL b. FIRST LEGAL SUPPORT SERVICES 1138 HOWARD STREET SAN FRANCISCO, CA 94103 c. 415-626-3111	Recoverable Cost Per CCP 1033.5(a)(4)(B) d. The Fee for Service was: e. I am: Not a Registered California Process Server
--	--

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Sat, Jul. 14, 2007

Attorney or Party without Attorney: THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE SAN FRANCISCO, CA 94109 Telephone No: 415-674-8600 FAX No: 415-674-9900				For Court Use Only	
Attorney for: Plaintiff				Ref No. or File No.	
Insert name of Court, and Judicial District and Branch Court United States District Court Northern District Of California					
Plaintiff: CRAIG YATES, et al Defendant: WINTER PROPERTIES, et al.					
PROOF OF SERVICE SUMMONS		Hearing Date	Time	Dept/Div	Case Number C 07 2657 JL

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL CASE COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; CIVIL COVER SHEET; WELCOME TO THE U.S. DISTRICT COURT; NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL; CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III, ECF REGISTRATION INFORMATION HANDOUT
3. a. Party served: ANDRADE LUZ BEATRICE
 b. Person served: URIEL GONZALEZ, EMPLOYEE
4. Address where the party was served: 1015 GRAVENSTEIN HIGHWAY SOUTH
 SEBASTOPOL, CA 95472
5. I served the party:
 b. by substituted service. On: Thu., Jul. 12, 2007 at: 1:08PM by leaving the copies with or in the presence of:
 URIEL GONZALEZ, EMPLOYEE
 (1) (Business) a Person in charge at least 18 years of age apparently in charge of the office or usual place of business of the person served I informed him or her of the general nature of the papers.
 (4) A declaration of mailing is attached.
7. Person Who Served Papers:
 a. ALENE RUMMEL
 d. The Fee for Service was:
 Recoverable Cost Per CCP 1033.5(a)(4)(B)
 e. I am: (3) registered California process server
 (i) Independent Contractor
 (ii) Registration No. P-371
 (iii) County: Sonoma


First Legal Support Services, Inc.
 ATTORNEY SERVICES
 301 CIVIC CENTER DR. WEST
 Santa Ana, CA 92701
 (714) 541-1110, FAX (714) 541-8182

8 I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Sat, Jul. 14, 2007


 (ALENE RUMMEL)
 8359237.1thofr-fg 75841

Attorney or Party without Attorney: THOMAS B. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109				For Court Use Only	
Telephone No. 415-674-8600 FAX: No: 415-674-9900		Ref. No. or File No.:			
Insert name of Court, and Judicial District and Branch Court: United States District Court Northern District Of California					
Plaintiff: CRAIG YATES, et al. Defendant: WINTER PROPERTIES, et al.					
AFFIDAVIT OF REASONABLE DILIGENCE		Hearing Date:	Time:	Dept/Div:	Case Number: C 07 2657 JL

1. I, ALENE RUMMEL, and any employee or independent contractors retained by FIRST LEGAL SUPPORT SERVICES are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant ANDRADE LUZ BEATRICE as follows.

2. **Documents:** Summons In A Civil Case Complaint For Injunctive Relief And Damages; Civil Cover Sheet; Welcome To The U.S. District Court; Notice Of Assignment Of Case To A United States Magistrate Judge For Trial; Consent To Proceed Before A United States Magistrate Judge; Scheduling Order For Cases Asserting Denial Of Right Of Access Under Americans With Disabilities Act Title Iii; Ecf Registration Information Handout..

Day	Date	Time	Location	Results
Thu	07/05/07	1:03pm	Business	SUBJECT IS NOT IN AT THIS TIME. Attempt made by: ALENE RUMMEL. Attempt at: 1015 GRAVENSTEIN HIGHWAY SOUTH SEBASTOPOL CA 95472.
Fri	07/06/07	3:03pm	Business	SUBJECT IS NOT IN AT THIS TIME. Attempt made by: ALENE RUMMEL. Attempt at: 1015 GRAVENSTEIN HIGHWAY SOUTH SEBASTOPOL CA 95472.
Thu	07/12/07	1:08pm	Business	Substituted Service on: ANDRADE LUZ BEATRICE Business - 1015 GRAVENSTEIN HIGHWAY SOUTH SEBASTOPOL, CA. 95472 by Serving: URIEL GONZALEZ, EMPLOYEE a Person in charge at least 18 years of age apparently in charge of the office or usual place of business of the person served. Served by: ALENE RUMMEL
Thu	07/12/07			Mailed copy of Documents to: ANDRADE LUZ BEATRICE

3. **Person Executing**

a. ALENE RUMMEL
 b. FIRST LEGAL SUPPORT SERVICES
 301 CIVIC CENTER DRIVE WEST
 SANTA ANA, CA 92701
 c. (714) 541-1110

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d. **The Fee for service was:**

e I am: (3) registered California process server
 (i) Independent Contractor
 (ii) Registration No P-371
 (iii) County: Sonoma

4. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Alene Rummel

✠ Date: Sat, Jul. 14, 2007

AFFIDAVIT OF REASONABLE DILIGENCE

(ALENE RUMMEL)

Attorney or Party without Attorney THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109 Telephone No: 415-674-8600 FAX No: 415-674-9900				For Court Use Only	
Attorney for: Plaintiff Insert name of Court, and Judicial District and Branch Court United States District Court Northern District Of California Plaintiff: CRAIG YATES, et al. Defendant: WINTER PROPERTIES, et al.				Ref. No or File No.:	
PROOF OF SERVICE By Mail		Hearing Date:	Time:	Dept/Div.	Case Number: C 07 2657 JL

1. I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
2. I served copies of the SUMMONS IN A CIVIL CASE COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; CIVIL COVER SHEET; WELCOME TO THE U.S. DISTRICT COURT. NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL; CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III; ECF REGISTRATION INFORMATION HANDOUT
3. By placing a true copy of each document in the United States mail, in a sealed envelope by First Class mail with postage prepaid as follows:

a. Date of Mailing:	Thu., Jul. 12, 2007
b. Place of Mailing:	SAN FRANCISCO, CA 94103
c. Addressed as follows:	ANDRADE LUZ BEATRICE 1015 GRAVENSTEIN HIGHWAY SOUTH SEBASTOPOL, CA 95472
4. I am readily familiar with the business practice for collection and processing of correspondence as deposited with the U.S. Postal Service on Thu., Jul. 12, 2007 in the ordinary course of business.
5. Person Serving:

a. AARON DANIEL b. FIRST LEGAL SUPPORT SERVICES 1138 HOWARD STREET SAN FRANCISCO, CA 94103 c. 415-626-3111	Recoverable Cost Per CCP 1033.5(a)(4)(B) d. The Fee for Service was: e. I am: Not a Registered California Process Server
--	--

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States of America that the foregoing is true and correct.

Date: Sat, Jul 14, 2007

Attorney or Party without Attorney THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109 Telephone No 415-674-8600 FAX No 415-674-9900				For Court Use Only	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court United States District Court Northern District Of California					
Plaintiff: CRAIG YATES, et al. Defendant: WINTER PROPERTIES, et al					
PROOF OF SERVICE SUMMONS		Hearing Date:	Time:	Dept/Div:	Case Number C 07 2657 JL

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the SUMMONS IN A CIVIL CASE; COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES, CIVIL COVER SHEET; WELCOME TO THE U.S. DISTRICT COURT; NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL; CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III; ECF REGISTRATION INFORMATION HANDOUT

3. a. Party served: **ARMANDO ROBLES CORONEL**

4. Address where the party was served. **1015 GRAVENSTEIN HIGHWAY SOUTH
SEBASTOPOL, CA 95472**

5. I served the party:

a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Mon., Jul. 09, 2007 (2) at: 12:12PM

7. Person Who Served Papers:

a. **ALENE RUMMEL**

Recoverable Cost For CCP 1033.5(a)(4)(B)

d. The Fee for Service was:

e. I am (3) registered California process server

- (i) Independent Contractor
- (ii) Registration No.: **P-371**
- (iii) County **Sonoma**



8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Fri, Jul. 13, 2007

Alene Rummel
(ALENE RUMMEL)

CERTIFICATE OR PROOF OF SERVICE

State of California)
) ss
County of San Francisco)

I, the undersigned, say: I am and was at all times herein mentioned, a resident of the City and County of San Francisco, over the age of eighteen (18) years and not a party to the within action or proceeding; that my business address is 2806 Van Ness Avenue, San Francisco, CA 94109-5460; that on the below date, following normal business practice, I served the foregoing document, described as:

PROOF OF SERVICE SUMMONS AND COMPLAINT

on the interested parties in this action, conveyed as follows:

☒ by depositing true copies thereof, enclosed in a sealed envelope, with postage thereon fully prepaid:

☒ in first class U.S. Mail

☐ in ___ priority or ___ standard overnight mail via Federal Express.

I am readily familiar with this office's practice for collection and processing of correspondence for mailing with the United States Postal Service or Federal Express. In the ordinary course of business, correspondence, including said envelope, will be deposited with the United States Postal Service or Federal Express in San Francisco.

☐ by transmitting via facsimile to the fax number(s) set forth below.

☐ by causing personal delivery by Western Messenger Service.

☐ by personal hand-delivery.

addressed to:

Armando Robles Coronel
1015 Gravenstein Highway South
Sebastopol, CA 95472

Winter Properties
200 Petrero Avenue
San Francisco, CA 94103

Andrade Luz Beatrice
1015 Gravenstein Highway South
Sebastopol, CA 95472

I declare under penalty of perjury under the laws of the State of California that I am employed in the office of a member of the bar of this court at whose direction the service was made, and that the foregoing is true and correct. Executed on July 19, 2007, at San Francisco, California.


ARMETRICE COOPER
(Original signed)